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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

6 \* \* \*

7 LENA J. DANIEL,

8 Plaintiff(s),

Case No. 2:14-CV-1728 JCM (PAL)

ORDER

9 v.

10 NANCY A. BERRYHILL,

11 Defendant(s).

12  
13 Presently before the court is Magistrate Judge Leen's report and recommendation  
14 ("R&R"), regarding plaintiff Lena J. Daniel's ("plaintiff") motion to remand to the Social Security  
15 Administration (ECF No. 17) and defendant Carolyn W. Colvin's (the "commissioner")  
16 crossmotion to affirm (ECF No. 18). (ECF No. 26). No objections have been filed, and the  
17 deadline for filing objections has since passed.

18 This court "may accept, reject, or modify, in whole or in part, the findings or  
19 recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects  
20 to a magistrate judge's report and recommendation, then the court is required to "make a de novo  
21 determination of those portions of the [report and recommendation] to which objection is made."  
22 28 U.S.C. § 636(b)(1).

23 Where a party fails to object, however, the court is not required to conduct "any review at  
24 all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149  
25 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a  
26 magistrate judge's report and recommendation where no objections have been filed. *See United*  
27 *States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir. 2003) (disregarding the standard of review  
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1 employed by the district court when reviewing a report and recommendation to which no  
2 objections were made).

3 Nevertheless, this court finds it appropriate to engage in a *de novo* review to determine  
4 whether to adopt the recommendation of the magistrate judge. Upon reviewing the  
5 recommendation and underlying briefs, the court finds that good cause appears to ADOPT the  
6 magistrate judge's findings.

7 Accordingly,

8 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Magistrate Judge Leen's  
9 report and recommendation (ECF No. 26) be, and the same hereby is, ADOPTED in its entirety.

10 IT IS FURTHER ORDERED that plaintiff's motion to remand (ECF No. 17) be, and the  
11 same hereby is, DENIED.

12 IT IS FURTHER ORDERED that the commissioner's crossmotion to affirm (ECF No. 18)  
13 be, and the same hereby is, GRANTED.

14 The clerk shall enter judgment accordingly and close the case.

15 DATED July 5, 2017.

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17 UNITED STATES DISTRICT JUDGE